



Submission to the Select Committee on Children and Youth Affairs
Childcare Support Bill 2017
Committee Stage
Friday 16th February 2018

Introduction

As the largest representative body of the early childhood education and care (ECEC) sector in Ireland, Early Childhood Ireland (ECI) welcomes the opportunity to make this submission in advance of Committee Stage consideration of the *Childcare Support Bill 2017*. The main purpose of the Bill is to provide the statutory basis for the Affordable Childcare Scheme (ACS).

As members of the Joint Oireachtas Committee on Children and Youth Affairs, you will be aware of ECI's extensive engagement on the development of the ACS and the interim 'More Affordable Childcare' initiative, including our presentation at the Committee's pre-legislative scrutiny session in February 2017. From the outset, ECI has been committed to ensuring that the ACS, when commenced, represents a move toward a model of childcare in Ireland that can deliver: the best quality care and education for children in the most formative years of their development; viability and sustainability for both early childhood services and their staff; and access and affordability for parents to childcare facilities and services.

Given that it is our members, including approximately 3,200 Tusla registered childcare services,¹ that are currently implementing More Affordable Childcare and who will implement the ACS when it is rolled-out, we welcome that our experience and constructive feedback has already secured changes to the scheme.

¹ ECI has approximately 3,800 members comprising ECEC service providers, organisations, parent and toddler groups and interested individuals.

This includes substantial changes to the information available to both providers and parents on the relevant website and beyond, the important technical change to extend the funding model from 48-weeks to 52-weeks, and additional funding by way of Programme Support Payments to services for the management and administration of the Government funded childcare programmes.

ECI is conscious that many of our outstanding concerns about the development of the ACS are not capable of being addressed through amendments to the *Childcare Support Bill 2017* because the detail and nuance of the policies will only be seen in the forthcoming Regulations. Nevertheless, ECI wishes to flag the following considerations for the Select Committee's considerations.

[Duration of income-related subsidy: The 15-hour cap](#)

You will recall in the *Policy Paper on the Development of a new Single Affordable Childcare Scheme* (October 2016), DCYA proposed to reduce the means-tested subsidy to a maximum of 15 hours of childcare per week, inclusive of time spent in school or preschool, for children where one or both parents are not engaged in work or study. ECI has been strongly opposed to this from the outset. We believe that the proposal is motivated by labour market activation without proper consideration of the many and complex reasons that keep parents, particularly woman parenting alone, distant from the labour market. Such reasons include poverty, domestic violence, homelessness, drug addiction, mental health difficulties, and disability. We maintain that early years policy must prioritise the best interests of the child and recognise that not all children receive the same start in life.

[Section 13: Calculation of amount of financial support](#)

While the 15-hour cap is not specified in the Childcare Support Bill, it remains DCYA policy in the continuing development of the ACS. Under Section 13(2)(e) the Minister will be empowered to make Regulation to include "the maximum number of hours in respect of which an applicant may qualify for financial support".

ECI continues to advocate for the removal of the 15-hour cap from the ACS. However, by way of mitigation in the underpinning legislation we recommend increasing the capped ceiling, where the provisions of Section 14 are not invoked, from 15-hours of childcare per week to 20-hours of childcare per week. This would entitle children to a minimum equivalent of part-time weekly childcare given that 40-hours is the weekly limit per child for the payment of subsidies under the ACS Policy Paper.

Definitions of “work” and “Study”

We further note that the *Childcare Support Bill 2017* does not define “work” and “study”. Again, under Section 13(2)(f) the Bill power is vested in the Minister to define work and study for the purposes of the Scheme through Regulation. ECI recommends that an assurance is sought from the Minister during the debate of the Bill that unpaid work experience, where appropriate, will be included for the enhanced hours subsidy.

ECI has already made this representation to DCYA in respect of a member service operating in a residential drug and alcohol treatment centre for women and children. Following completion of the programme, many clients undertake a minimum of 20 hours of unpaid work per week for several weeks. This is an important part of their step-down programme, which reintroduces structure and routine but also helps in building confidence and skills acquisition for re-entry into the labour market. It has proven very effective as part of the overall programme with most clients in this service, on average 7 out of 10, transitioning into work or education after completing their care plan. ECI believes the definitions of work and study need to be as inclusive as possible and recognise the importance of unpaid work such as outlined here, and the need for childcare support, in parents’ transition into employment.

Notwithstanding the rules on amendments with monetary implications, ECI recommends the following amendments to Section 13:

1. Section 13(2)(e) the maximum number of hours, being no less than 20 hours, in respect of which an applicant may qualify for financial support”.

2. New Section 13(7) the Minister will conduct a review of Section 13 and its associated Regulations 6 months after the roll-out of the Affordable Childcare Scheme, which will be brought before relevant Oireachats Committee for debate.

Section 14: Provision for Vulnerable Children

ECI was also very concerned by the initial focus on Tusla as the sponsor through which applications could be made to increase the duration of income-related subsidy for children (where one or both parents are not engaged in formal work or study) on child welfare or child protection grounds. We argued that it is wholly inappropriate to require parents who are parenting well but need additional support to bring themselves before Tusla in this manner. We also flagged that many parents will, for a variety of reasons, be reluctant indeed fearful to engage with Tusla/social workers and that children who would benefit from additional childcare would miss out as a result. We are very pleased our advocacy has been reflected in a far more nuanced approach in the *Childcare Support Bill 2017*, including a specific section on provision for vulnerable children (Section 14) and the inclusion of the Health Service Executive as a statutory body that can make a referral for additional support under *Schedule 2 Agreements with Certain Statutory Bodies*.

Tusla referrals

In the DCYA policy paper on the development of the ACS, in the context of an exception to the parental co-payment it says “[a]n exception is where a child is referred for a childcare subsidy by Tusla on child welfare or family support grounds. In such cases, Tusla will cover the cost of the parental co-payment.” This is further detailed in the DCYA funding programme rules:

2.2.26 Tusla referrals

A Tusla referral should contain the name of the child, date of birth and PPSN, state the childcare start and end dates, is signed and dated by the Social Worker who has also signed the Service Declaration form and confirm that TUSLA will provide funding for that particular child to the childcare service.

3.2.16 Tusla/ PHN referrals:

The service provider must not ask for voluntary donations or apply a fee to parents who are Tusla or PHN referrals.

ECI is very concerned by a recent representation from a member service operating in an area of significant disadvantage. According to this service, in all cases where a Social Worker has been satisfied that a child should be made the subject of a Tusla referral, the relevant regional Tusla office has refused to grant same (i.e. cover the cost of the parental co-payment). The service has, in the best interest of the children concerned, continued to provide childcare and absorb the parental co-payment at a considerable cumulative cost. ECI is currently investigating the extent of this problem nationally.

In respect of *Schedule 2 Agreements with Certain Statutory Bodies* confirmation should be secured from the Minister that there is a positive obligation on Tusla, and the necessary funding in place, to guarantee Tusla will cover the cost of the parental co-payment “[t]o enable participation in a childcare service as part of the provision of child care and family support services by the Child and Family Agency to promote the welfare of children who are not receiving adequate care and protection.”

ECI recommends the following amendments to Section 14:

1. New section 14(5) the Minister will conduct a review of Section 14 and its associated Regulations 6 months after the roll-out of the Affordable Childcare Scheme, which will be brought before relevant Oireachats Committee for debate.